



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

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## **Annexation Advisory**

Please be advised that on March 14, 2002, the Washington State Supreme Court issued a decision in Grant County Fire Protection Dist. No. 5 v. City of Moses Lake, 145 Wn.2d 702. In that decision, the Supreme Court held that the petition –type annexations at issue in that case violated the privileges and immunities clause of the State Constitution and were, consequently, invalid.

Please also note that the decision rendered by the Supreme Court was remanded for further proceedings by the superior court, and that the cities, with support from the Governor, have asked the Supreme Court to reconsider its decision. Thus, it is currently uncertain what impact, if any, the final decision in the case may have on future annexations, including the certification of new boundaries formed by annexations.

***As a result of this uncertainty, and because the Supreme Court has not yet issued its mandate, OFM will continue to certify annexations. However, depending on the actions of the Supreme Court, OFM's actions regarding annexations by petition could change in the future. Annexations certified by OFM after March 14, 2002 could be considered invalid depending on the Supreme Court's final decision.***